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Introducing the Global Data Privacy Prize

Fred H. Cate

Indiana University Maurer School of Law, fcate@indiana.edu

Christopher Kuner

Vrije Universiteit Brussel

Orla Lynskey

London School of Economics

Christopher Millard

Queen Mary University

Nora Ni Loideain

University of London

See next page for additional authors

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Authors

Fred H. Cate, Christopher Kuner, Orla Lynskey, Christopher Millard, Nora Ni Loideain, and Dan Jerker B. Svantesson

Editorial

Introducing the global data privacy prize

Christopher Kuner*, Fred H. Cate**, Orla Lynskey**,
Christopher Millard**, Nora Ni Loideain**, and
Dan Jerker B. Svantesson**

The vast majority of research published in this journal since its first edition in 2011 has approached data protection and privacy from a European perspective, by focusing on legal developments in Europe or using these developments for comparative purposes. This is perhaps unsurprising given the relatively long-standing protection of data privacy in Europe. Article 8 of the European Convention on Human Rights, adopted in the post-war period, provides explicit protection for the right to respect for private life while the German Länder of Hesse adopted the world's first data protection law in 1970 with subsequent developments at national, Council of Europe, and EU (then EC) level over the following quarter of a century.

Yet, in recent years, many of the most significant developments in data privacy law have taken place outside of Europe. In 2013, South Africa enacted data protection legislation extending beyond the protection of natural persons to also encompass legal, or 'juristic', persons. Mainland China's Cybersecurity Law took effect in 2017 embodying the state's commitment to 'data sovereignty'. In India, the Data Protection Bill was published in 2018, following the Indian Supreme Court's judgment in *Puttaswamy*, a case that truly merits the label 'seminal'. In this judgment, a nine judge bench reached the conclusion, amongst others, that despite the absence of an explicit right to privacy in the Indian Constitution such a right is derived from the constitutional protection of liberty. Contemporaneously, Brazil adopted a comprehensive data privacy law with some noteworthy omissions, including the culling of the

provisions providing for an independent data protection authority.

These developments are a reminder, if one was needed, that although anchored in domestic and regional legal and social norms, data privacy is of global importance. Moreover, as the reach and significance of data privacy law expands globally, it is important for legal scholars and practitioners to exchange ideas and debate doctrine across territorial boundaries. While acknowledging the limits of legal cross-fertilization, *IDPL* wishes to contribute to this dialogue between scholars across the world working on data privacy issues. It is our objective to encourage more *IDPL* submissions from beyond Europe.

It is for this reason that we are delighted to announce the establishment of the *IDPL* Global Data Privacy Prize. In selecting the winner of this annual prize, special consideration will be given to scholarly submissions relating to developments outside of Europe and to contributions from authors resident in lower- and middle-income countries. Authors should simply indicate their willingness to be considered for this prize when submitting their piece for publication. The eligible publication period will be January to December each year, with the winner being announced in January of the following year. The winner will be chosen annually by the Editors.

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